

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER OF ADJUDICATION (CHILD PROTECTIVE PROCEEDINGS), PAGE 1 ORDER ____ OF ____	CASE NO. PETITION NO.
--	--	--

Court address

Court telephone no.

1. In the matter of
name(s), alias(es), DOB
2. Date of hearing: _____ Judge/Referee: _____ Bar no.
3. Removal date: _____ (specify for each child if different)

THE COURT FINDS:

4. The child(ren) is/are is/are not subject to the continuing jurisdiction of another court. Court: _____
5. A petition has been submitted alleging that the above child(ren) come(s) within the provisions of MCL 712A.2(b).
6. Notice of hearing was given as required by law. Notice of proceedings is to be given as required by law.
7. The respondent(s) _____
name(s)
appeared in court in person or by _____ and was represented by an attorney.
Manner of appearance
 waived representation by an attorney.
8. The plea by _____ is knowingly, understandingly, and voluntarily made.
Name(s)
9. After trial, plea, and by a preponderance of the evidence, clear and convincing evidence,
 a. there are no statutory grounds to exercise jurisdiction over the child(ren).
 b. there are statutory grounds to exercise jurisdiction over the child(ren) (MCL 712A.2[b]). The statutory ground(s) is/are:
 failure to provide, when able to do so, support, education, medical, surgical, or other necessary care for health or morals.
 substantial risk of harm to mental well-being.
 abandonment by parents.
 lack of proper custody or guardianship.
 an unfit home environment, by reason of neglect, cruelty, drunkenness, criminality, or depravity on the part of a parent, guardian, nonparent adult, or other custodian.
 failure to comply with a limited guardianship placement plan.
 failure to comply with a court-structured guardianship plan.
 when a guardianship is in place, failure to provide support or to regularly visit, contact or communicate with the child(ren) for a period of 2 years, either before or after a guardianship petition was filed and a support order entered.
10. Specific findings of facts and law are on the record. in the attached written opinion. as noted below.

(SEE SECOND PAGE)

USE NOTE: Do not use this form when the court conducts the dispositional hearing immediately following adjudication. Use form JC 17 instead.

Do not write below this line - For court use only

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER OF ADJUDICATION (CHILD PROTECTIVE PROCEEDINGS), PAGE 2 ORDER ____ OF ____	CASE NO. PETITION NO.
--	---	--

Court address

Court telephone no.

In the matter of

- 11. a. Contrary to the welfare findings were made in a prior order.
- b. It is contrary to the welfare of the child(ren) to remain in the home because: (attach separate sheets as necessary)

- 12. a. Based on testimony, there is probable cause to believe the legal/putative father(s) is/are:
(name each child, his/her father, and whether legal or putative)
- b. The putative father of _____ is unknown and cannot be identified.
- c. The natural father was notified as required by law and failed to establish paternity within the time set by the court. The natural father waives all rights to further notice, including the right to notice of termination of parental rights and the right to an attorney.

- 13. a. Reasonable efforts to prevent removal of the child(ren) from the home were made as determined in a prior order.
- b. Reasonable efforts were made to prevent removal of the child(ren) from the home. Those efforts include: (specify)

- c. Reasonable efforts to prevent removal of the child(ren) from the home were not made.
- d. Reasonable efforts to prevent removal of the child(ren) from the home were not required as determined in a prior order.

- 14. a. Reasonable efforts are not required to prevent the child(ren)'s removal from the home due to
 - the mother father subjecting the child(ren) to the aggravated circumstance(s) of _____ as provided in section MCL 722.638(1) and (2), and as evidenced by _____
 - the mother's father's conviction for murder of another child of the parent.
 - the mother's father's conviction for voluntary manslaughter of another child of the parent.
 - the mother's father's conviction for aiding or abetting in the murder or manslaughter of another child of the parent, attempting to murder the child(ren) or another child of the parent, or conspiring or soliciting to commit the murder of the child(ren) or another child of the parent.
 - the mother's father's conviction for felony assault that resulted in serious bodily injury to the child(ren) or another child of the parent.
 - the mother's father's involuntary termination of parental rights to a sibling of the child(ren).
- b. Reasonable efforts to preserve and reunify the family to make it possible for the child(ren) to safely return home are
 - not required because the parent subjected the child or another child of the parent to one of the circumstances stated above.
 - OR**
 - still recommended because:

(when item 14 is checked, either complete item 16 below or schedule a permanency planning hearing within 30 days of this determination)

NOTE: If the child(ren) were not removed prior to adjudication and the court determines at trial that removal is necessary, the court must make the required findings regarding contrary to the welfare and reasonable efforts to prevent removal.

(SEE THIRD PAGE)

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER OF ADJUDICATION (CHILD PROTECTIVE PROCEEDINGS), PAGE 3 ORDER ____ OF ____	CASE NO. PETITION NO.
Court address		Court telephone no.

In the matter of

15. a. Reasonable efforts shall be made to preserve and reunify the family to make it possible for the child(ren) to safely return home.
- b. Reasonable efforts shall not be made to preserve and reunify the family because it would be detrimental to the child(ren)'s health and safety.
16. Since reasonable efforts to prevent removal or to reunite the child(ren) and family are not required, a permanency planning hearing was conducted. (**use and attach form JC 64**, Order Following Permanency Planning Hearing, Pre-Termination)
17. Conditions of custody in the home and with the individual with whom the child(ren) reside(s):
- a. are adequate to safeguard the child(ren) from the risk of harm to the child(ren)'s life, physical health, and mental well-being.
- b. are not adequate to safeguard the child(ren) from the risk of harm to the child(ren)'s life, physical health, and mental well-being.
- No provision of service or other arrangement except removal of the child(ren) is reasonably available to adequately safeguard the child(ren) from the risk of harm to the child(ren)'s life, physical health, and mental well-being.
- Conditions of custody at the placement away from the home and with the individual with whom the child(ren) is/are placed are adequate to safeguard the child(ren)'s life, physical health, and mental well-being.
18. Parenting time with _____, even if supervised, may be harmful to the child(ren).

IT IS ORDERED:

19. The petition is dismissed, the child(ren) is/are released to _____, and the jurisdiction of this court is terminated except that the court reserves the right to enforce orders for reimbursement of court costs, attorney fees, and other assessments that have accrued up to and including the date of this order.
20. Notice is to be given to the legal/putative father(s) as required by law. The father was not present and must appear at the next hearing. The putative father was present at this hearing and shall establish paternity within 14 days.
21. The child(ren)
- is/are placed with the Department of Human Services for care and supervision, and
- a. the parent, guardian, or legal custodian shall execute all documents necessary to release confidential information regarding the child(ren), including medical, mental, and educational reports, and shall also, within 7 days, provide the Department of Human Services with the name(s) and address(es) of the medical provider(s) for the child(ren). Any medical provider of the child(ren) shall release the medical records of the child(ren) to the Department of Human Services.
- b. if the child(ren) is/are placed in the home of a relative, a home study shall be performed by the Department of Human Services and a copy of the home study submitted to the court not more than 30 days after the placement.
- c. upon request, the Department of Human Services shall release to the foster parent the information concerning the child(ren) in accordance with MCL 712A.13a(13).
- remain home with or is/are released to _____ under the supervision of
Name of parent, guardian, or legal custodian
- the Department of Human Services. The following terms and conditions apply to the parent/guardian/legal custodian:

22. Each child shall have a psychological evaluation counseling to determine appropriateness and conditions of parenting time.

(SEE FOURTH PAGE)

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER OF ADJUDICATION (CHILD PROTECTIVE PROCEEDINGS), PAGE 4 ORDER ____ OF ____	CASE NO. PETITION NO.
--	--	--

Court address

Court telephone no.

In the matter of

IT IS ORDERED: (continued)

- 23. Parenting time of _____ is
 - supervised by the Department of Human Services and/or its designee.
 - unsupervised at the discretion of the Department of Human Services.
 - suspended while psychological evaluation or counseling is conducted, or until further order of the court.
- 24. Parenting time of _____ is
 - supervised by the Department of Human Services and/or its designee.
 - unsupervised at the discretion of the Department of Human Services.
 - suspended while psychological evaluation or counseling is conducted, or until further order of the court.
- 25. Parenting time of _____ is
 - supervised by the Department of Human Services and/or its designee.
 - unsupervised at the discretion of the Department of Human Services.
 - suspended while psychological evaluation or counseling is conducted, or until further order of the court.

26. Placement shall continue pending disposition on _____ .
Date and time

27. Other:

28. Prior orders remain in effect except as modified by this order.

Date

Judge

MCL 722.638 - AGGRAVATED CIRCUMSTANCES

- (1) The Department shall submit a petition for authorization by the court under Section 2(b) of Chapter XIIA of 1939 PA 288, MCL 712A.2, if one or more of the following apply:
 - (a) The Department determines that a parent, guardian, or legal custodian, or a person who is 18 years of age or older and who resides for any length of time in the child's home, has abused the child or a sibling of the child and the abuse included one or more of the following:
 - (i) Abandonment of a young child.
 - (ii) Criminal sexual conduct involving penetration, attempted penetration, or assault with intent to penetrate.
 - (iii) Battering, torture, or other severe physical abuse.
 - (iv) Loss or serious impairment of an organ or limb.
 - (v) Life threatening injury.
 - (vi) Murder or attempted murder.
 - (b) The Department determines that there is risk of harm to the child and either of the following is true:
 - (i) The parent's rights to another child were terminated as a result of proceedings under Section 2(b) of Chapter XIIA of 1939 PA 288, MCL 712A.2, or a similar law of another state.
 - (ii) The parent's rights to another child were voluntarily terminated following the initiation of proceedings under Section 2(b) of Chapter XIIA of 1939 PA 288, MCL 712A.2, or a similar law of another state.
- (2) In a petition submitted as required by subsection (1), if a parent is a suspected perpetrator or is suspected of placing the child at an unreasonable risk of harm due to the parent's failure to take reasonable steps to intervene to eliminate that risk, the Department of Human Services shall include a request for termination of parental rights at the initial dispositional hearing as authorized under Section 19b of Chapter XIIA of 1939 PA 288, MCL 712A.19b.